

5. Inquiry as to the employment of the juror's children.

6. Inquiry as to prior jury duty service, whether civil or criminal.

7. Inquiry as to prior personal involvement in litigation, as a person who has instituted a lawsuit, as a plaintiff, or as a person who has been sued, a defendant.

8. Inquiry as to family members or relatives who had prior personal involvement in litigation either as having instituted a lawsuit, as a plaintiff, or having been sued, as a defendant.

9. Inquiry as to knowledge of the parties to the lawsuit.

10. Inquiry as to knowledge of the jurors and representation of them or family members by trial counsel involved in the case, and the law firms of trial counsel.

11. Has anyone done any business now or has anyone had any business in the past with any of the attorneys or law firms that have been mentioned?

12. Inquiry as to knowledge of the witnesses in the case, by reading the list of witnesses contained in the Pre-Trial Memoranda of the parties.

13. Has anyone seen, heard or read anything about this particular case, or the claims advanced by the plaintiffs?

14. Does anyone have any interest in this case?

15. Has anyone formed or expressed any opinion about the merit or lack of merit concerning this case?

16. Does anyone have any bias, prejudice or feelings of any kind for or against either side of the case or for or against any party involved in the lawsuit?

17. Is anyone related by blood or marriage to any of the parties to the case, any of the witnesses or any of the attorneys?

18. Has anyone or any family member of yours been injured as a result of an accident?

19. Have you or has anyone in your family ever brought a claim against anyone for personal injuries?

20. Have you or has anyone in your family ever brought a lawsuit against anyone for personal injuries?

21. Is there anyone here that believes that just because an accident occurred and a lawsuit is brought, that the defendant must automatically be at fault for the accident?

22. Does anyone here believe that merely because a lawsuit is brought, a finding must be made against the defendant and that the plaintiff must be awarded money damages?

23. Do you or does anyone in your family work for a lawyer, judge or anyone associated with the legal profession or the judicial system? If so, please state the nature of the work and whether you/they are involved in the handling or preparation of litigation.

24. This case involves a claim for injuries sustained by the plaintiffs as a result of alleged sexual abuse. Would you be able to set aside whatever feelings of sympathy or empathy you may have for the plaintiffs, in order that you can decide this case based solely on the evidence and testimony presented in this Courtroom.

25. The defendants are two (2) catholic Priests, a Bishop of the Catholic Church and several Catholic institutions.

(a) Is anyone here a member of the Catholic Church?

(b) Is there anyone here who has not either read or heard over the last few years about the controversies in the Catholic Church pertaining to certain priests who sexually abused minors?

(c) Individual voir dire about juror's feelings and impressions about the national controversy.

(d) Individual voir dire about controversy's impact on juror's thinking and attitudes towards the Church. Can the juror give the defendants a fair trial?

25. Is there anything that you can think of in your past experience which you believe would hamper or have an adverse effect on your ability to sit as a fair and impartial juror in this case?

26. Is there anything based upon what the Judge has said and what the attorneys have said concerning this case which causes you to have a fixed opinion as to who should win and who should lose in this particular case?

27. Do you realize that no decision should be reached by you as a juror in this matter or an opinion formed by you until both sides have had an opportunity to present their side of the case?

28. Do you understand that the resolution of this matter should not be based upon a personality contest, a popularity contest or premised on who the best lawyer is, and that no verdict should be based on whether a party or particular lawyer is liked or disliked?

29. Do you understand that it would be wrong and inappropriate to render a verdict for the plaintiff and against the defendant unless you make a finding that the defendant owes the plaintiffs some type of duty and unless it can be proven that the defendant breached this duty and a causal relationship exists between the breach of that duty and the damages claimed by the plaintiffs?

30. Is there anyone here that believes that people, no matter how badly they are injured, should be compensated?

31. Does anyone have any health problems, such as with your vision, your hearing or emotional problems which may affect your ability to serve as a juror?

32. Do you feel that you can find in favor of the defendant and enter a verdict in favor of the defendant and against the plaintiffs, if the facts and the law justify it?

33. Can you as jurors, promise me that you will find in favor of the defendant if the facts and the law justify it?

34. Does anyone, because of personal beliefs, religious beliefs, moral or ethical beliefs, not believe in lawsuits?

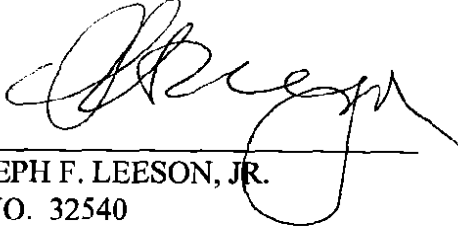
35. All of us have natural sympathy for anyone who is injured, with anyone who is hurt and who has suffered pain and anguish, but will each of you promise me that you will not let the natural

feeling of sympathy decide this case against my clients and deprive them of that fair trial on the evidence which our legal system entitles them to?

36. Is there anyone on the jury panel, or any member of your family, who has ever studied law or medicine to any extent?

37. Is there any reason, whether I have mentioned it or not, why any of you could not give the defendant a completely fair and impartial trial?

LEESON, LEESON & LEESON

By   
JOSEPH F. LEESON, JR.  
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Attorney for Defendants, Priestly Fraternity of St. Peter  
and St. Gregory's Academy

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN DOE, JOHN DOE, SR., and	:	NO. 3 CV 02-0444
JANE DOE,	:	
Plaintiffs,	:	
	:	(JONES, U.S.D.J.)
vs.	:	
	:	
FATHER ERIC ENSEY,	:	
FATHER CARLOS URRUTIGOITY,	:	
DIOCESE OF SCRANTON,	:	
BISHOP JAMES C. TIMLIN,	:	
THE SOCIETY OF ST. JOHN,	:	
THE PRIESTLY FRATERNITY	:	
OF ST. PETER and ST. GREGORY'S	:	
ACADEMY,	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, JOSEPH F. LEESON, JR., ESQUIRE, hereby certify that a true and correct copy of the foregoing Proposed Voir Dire of Defendants, Priestly Fraternity of St. Peter and St. Gregory's Academy, was forwarded to the following at the addresses indicated via U.S. Mail, postage prepaid on the date indicated below:

James Bendell, Esquire  
2535 Ivy Street  
P.O. Box 587  
Port Townsend, WA 98368  
Attorney for Plaintiffs

Harry T. Coleman, Esquire  
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Attorney for Diocese of Scranton and Bishop James C. Timlin

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Attorneys for Defendants, The  
Priestly Fraternity of St. Peter and  
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Date: July 13, 2004



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JOSEPH F. LEESON  
(1965-1991)

July 13, 2004

Mary E. D'Andrea  
Clerk of Court  
United States District Court  
Federal Building  
U.S. Post Office and Courthouse  
Scranton, PA 18501


Re: **Doe vs. Ensey, et al.**  
Civil Action No: 3:CV02-0444  
Our File: 20-2-02D

Dear Ms. D'Andrea:

Enclosed are proposed Voir Dire of Defendants, Priestly Fraternity of St. Peter and St. Gregory's Academy.

Please file. Thank you.

Very truly yours,



JOSEPH F. LEESON, JR.

JFL,JR/dja

Enclosure

cc: Honorable John E. Jones, III  
James Bendell, Esq.  
Harry T. Coleman, Esq.  
Sal Cognetti, Jr., Esq.  
James E. O'Brien, Jr., Esq.  
Joseph F. Gaughan, Esq.

**RECEIVED  
SCRANTON**

**JUL 19 2004**

**MARY E. D'ANDREA, CLERK**  
Per M. E. D'Andrea  
**DEPUTY CLERK**